

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO

PETE V. DOMENICI UNITED STATES COURTHOUSE  
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ALBUQUERQUE, NEW MEXICO 87102  
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JAMES O. BROWNING  
District Judge

November 23, 2016

**VIA CM/ECF**

Counsel of Record

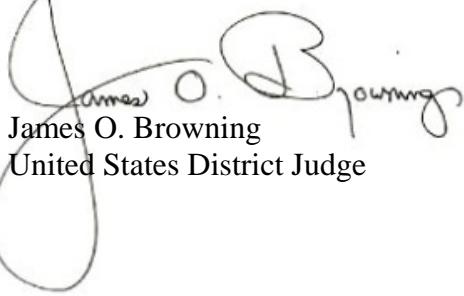
Re: USA v. DeLeon, et al., No. CR 15-4268 JB  
USA v. Varela, et al., No. CR 15-4269 JB  
USA v. Garcia, No. CR 15-4275 JB  
USA v. Baca, et al., No. CR 16-1613 JB

Dear Counsel:

Please find attached a memorandum that the United States Marshal Service sent to the Court. The Court proposes to follow these recommendations at the upcoming hearings unless the Court hears otherwise from you.

Best regards.

Sincerely,

  
James O. Browning  
United States District Judge

cc: United States Marshal Conrad Candelaria  
Chief Deputy United States Marshal Alex Ramos  
Deputy United States Marshal Royce Nacomoa

Attachment: as stated

Security Changes - SNM Conspiracy Hearings

Namoca, Royce (USMS)

to:

K'Aun Wild [REDACTED]

11/10/2016 12:19 PM

Cc:

"Fletcher, Scott (USMS)"

Hide Details

From: "Namoca, Royce (USMS)" [REDACTED]

To: "K'Aun Wild" [REDACTED]

Cc: "Fletcher, Scott (USMS)" [REDACTED]

K'Aun,

On 11/08/2016, I spoke with Marshal Candelaria and Chief Deputy US Marshal Ramos in regards to a meeting they had with you and Judge Browning. We're proposing a few courtroom security changes for the mass appearance of defendants associated with the SNM conspiracy. We're proposing and/or instituting three changes to augment the security in the courtroom. Here are the three changes:

We're wanting to create a partition/divider around Defendant Anthony Baca. Baca has been identified as the leader or highest ranking member in the SNM prison gang conspiracy. This partition/divider would limit Baca's line of sight to primarily the Judge and his attorney's. Baca's interactions with his codefendants would also be limited during the hearing; he won't be able to see them. There are concerns that Baca's interactions and/or communications with his codefendants may contain coded messages that are nefarious in nature. These potential coded messages may contain information that is unknown to most lay persons. The USMS is tasked with ensuring that all patrons in the courtroom are safe and secure while maintaining the integrity of the judicial process. Our intent is to limit any/all surreptitious communications that can present a danger to all patrons in attendance. This can include possible communications about security procedures and relaying communications that may cause harm to others.

- The USMS will be limiting all communications/talking throughout the hearings (even during breaks) between defendants involved with the SNM prison gang conspiracy. It appears unnecessary communications/talking between defendants has escalated especially during breaks in the hearings. The USMS is tasked with maintaining the integrity of the judicial process. Please notify defense counsel that the USMS will be limiting unnecessary communications between defendants for all future hearings involving the SNM conspiracy.
- Defendants who continue to communicate with other defendants and refuse to comply with orders from USMS personnel will be removed from the hearing. Prior to removal, a warning will be given to the court that a defendant is unnecessarily talking to other defendants and refusing to comply with orders from USMS personnel. Please notify defense counsel that the USMS will remove their client from the courtroom should they become disruptive.

Overall, we need to slightly modify our security procedures to deal with certain complexities involved with the SNM prison gang. We're still learning and gathering information related to the SNM prison gang and the defendants charged in this conspiracy; for both criminal cases. We want to continue to maintain the integrity of the judicial process, and ensure that all patrons in the courtroom are safe.

Let me know what you think about the correspondence above. I can memorialize it on a letterhead if it needs to be sent to defense counsel. I have to step out today, however, call my cell if you have any questions/concerns. Thank you.

Royce Namoca

let me

Supervisory Deputy US Marshal

USMS, D/NM, Albuquerque

505 [REDACTED] – Desk

505 [REDACTED] – Cell